

1754

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(To be used for all correspondence
after initial filing)

Application Number	09/801,196
Filing Date	March 6, 2001
First Named Inventor	Kai Wang
Group Art Unit	1754
Examiner Name	
Attorney Docket No.	240083.509

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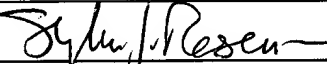
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ENCLOSURES (check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement; Form PTO-1449 (1 Sheet) <input checked="" type="checkbox"/> 12 Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Copy of International Search Report for PCT/US 01/07167</u> _____ _____ _____
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Stephen J. Rosenman, 43,058	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	8/8/02	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.		
Typed or printed name	Larry Dobson	
Signature		Date: 8/8/02



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kai Wang et al.
Application No. : 09/801,196
Filed : March 6, 2001
For : A NOVEL MATRIX METALLOPROTEINASE (MMP-25)
EXPRESSED IN SKIN CELLS

Art Unit : 1754
Docket No. : 240083.509
Date : August 8, 2002

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449 (copies of the cited references are enclosed).


Applicant notes that reference AG (FR 2 797 890) is written in French. Accordingly, the Examiner's attention is respectfully directed to reference AM which sets forth an English language abstract.

As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Stephen J. Rosenman, Ph.D.
Registration No. 43,058

SJR:HPM:ljd

Enclosures:

Postcard
Form PTO/SB/21
Form PTO-1449
Cited References (12)
Copy of International Search Report for PCT/US 01/07167

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Sheet 1 of 1

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
240083.509APPLICATION NO.
09/801,196**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANTS

Kai Wang et al.

FILING DATE

March 6, 2001

GROUP ART UNIT

1754

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AG	FR 2 797 890	03/02/01	FRANCE		X
	AH	WO 00/42201	07/20/00	WIPO		
	AI	WO 01/57255	08/09/01	WIPO		
	AJ	WO 01/40466	06/07/01	WIPO		
	AK	WO 01/18016	03/15/01	WIPO		
	AL					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	English Abstract of FR 2 797 890, esp@cenet, February 3, 2001. ✓
	AN	EMBL Sequence Database, Accession No. AA424347, May 22, 1997. ✓
	AO	EMBL Sequence Database, Accession No. AI436025, March 16, 1999. ✓
	AQ	EMBL Sequence Database, Accession No. AF195192, November 2, 2000. ✓
	AR	Borkakoti, "Matrix metalloproteases: variations on a theme," <i>Progress in Biophysics & Molecular Biology</i> 70(1):73-94, July 1998. ✓
	AS	Nagase and Woessner, Jr., "Matrix Metalloproteinases," <i>Journal of Biological Chemistry</i> 274(31):21491-21494, July 30, 1999. ✓

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

PATENT COOPERATION TREATY

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From the INTERNATIONAL SEARCHING AUTHORITY

PCT

SEED INTELLECTUAL PROPERTY
LAW GROUP PLLC

To:

SEED INTELLECTUAL PROPERTY LAW
GROUP PLLC
Attn. Verna, James, M.
Suite 6300
701 Fifth Avenue
Seattle, WA 98104-7092
UNITED STATES OF AMERICA

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

10/07/2002

Applicant's or agent's file reference

240083.509PC

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/US 01/07167

International filing date
(day/month/year)

06/03/2001

Applicant

DARWIN MOLECULAR CORPORATION et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Henriëtte Huysing-Solles

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/07167

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N15/55 C12N15/62 C12N15/11 C12N9/64 C12N9/00
 C12N5/10 C07K16/40 C12Q1/68 A61K7/06 A61K31/713
 G01N33/577

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N C07K C12Q A61K G01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, EMBL, MEDLINE, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE EMBL [Online] EBI, Hinxton, UK; 16 March 1999 (1999-03-16) "th80g12.x1 Soares NhHMPu S1 Homo sapiens cDNA clone IMAGE:2125030 3^T similar to SW:COG3 MOUSE P28862 STROMELYSIN-1 PRECURSOR ;, mRNA sequence." Database accession no. AI436025 XP002203888 abstract</p> <p style="text-align: center;">---</p> <p style="text-align: center;">-/--</p>	1-8,12, 14,15

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

5 July 2002

Date of mailing of the international search report

10. 07. 2002

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Aslund, J

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/07167

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE EMBL [Online] EBI, Hinxton, UK; 22 May 1997 (1997-05-22) HILLIER ET AL. : "zv90e12.r1 Soares NhHMPu S1 Homo sapiens cDNA clone IMAGE:767086 5' similar to SW:COG3_RABIT P28863 STROMELYSIN-1 PRECURSOR ;, mRNA sequence." XP002138015 abstract</p>	1-8,12, 14,15
P,X	<p>--- DATABASE EMBL [Online] Hinxton, UK; 2 November 2000 (2000-11-02) BENOIT DE COIGNAC ET AL.: "Cloning of a Novel Matrix Metalloproteinase Homologous to Stromelysins." Database accession no. AF195192 XP002203889 abstract</p>	1-8,12, 14,15
P,X	<p>--- WO 00 42201 A (INCYTE PHARMA INC ;AZIMZAI YALDA (US); YUE HENRY (US); BANDMAN OLG) 20 July 2000 (2000-07-20) Nucleic acid Seq Id no 7. Polypeptide Seq Id no 28. the whole document</p>	1-24
P,X	<p>--- FR 2 797 890 A (PF MEDICAMENT) 2 March 2001 (2001-03-02)</p>	1-24
E	<p>--- WO 01 57255 A (HYSEQ INC ;ASUNDI VINOD (US); KUO CHIAOYUN (US); LIU CHENGHUA (US)) 9 August 2001 (2001-08-09) Nucleic acid Seq Id no 7. Polypeptide Seq Id no 8.</p>	1-24
E	<p>--- WO 01 40466 A (STEWART TIMOTHY A ;BAKER KEVIN P (US); DEFORGE LAURA (US); DESNOYE) 7 June 2001 (2001-06-07) figures 191,192</p>	1-15,17
E	<p>--- WO 01 18016 A (MILLENNIUM PHARM INC) 15 March 2001 (2001-03-15) figures 1A-1D</p>	1-15,17
A	<p>--- BORKAKOTI N: "Matrix metalloproteases: Variations on a theme." PROGRESS IN BIOPHYSICS & MOLECULAR BIOLOGY, vol. 70, no. 1, July 1998 (1998-07), pages 73-94, XP002203886 ISSN: 0079-6107</p> <p style="text-align: center;">---</p> <p style="text-align: center;">-/--</p>	

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/07167

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>NAGASE HIDEAKI ET AL: "Matrix metalloproteinases." JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 274, no. 31, 30 July 1999 (1999-07-30), pages 21491-21494, XP002203887 ISSN: 0021-9258</p> <p>-----</p>	

Information on patent family members

PCT/US 01/07167

Form PCT/ISA/210 (patent family annex) (July 1992)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/07167

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0140466	A	US 2002072496 A1	13-06-2002
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			EP 1218392 A1
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